

REMARKS

In the Office Action the Examiner noted that claims 1-20 are pending in the application. The Examiner rejected claims 1, 10-11, 13, 15, 17, and 19, and allowed claims 2-9, 12, 14, 16, 18, and 20. By this Amendment, claims 1, 13 and 17 have been amended. No new matter has been presented. Thus, claims 1-20 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Claim Rejections Under 35 USC §102

In item 1 on pages 2-5 of the Office Action the Examiner rejected claims 1, 10-11, 13, 15, 17, and 19 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,614, issued to Sanftleben et al. (hereinafter referred to as "Sanftleben"). The Applicants respectfully traverse the Examiner's rejections of these claims.

Claim 1 of the present application, as amended, recites a spacer having an elastic member being detachably attached to the printed wiring board in such a way as to enclose the electronic component along the circumference of the electronic component to seal a gap between the electronic component and the printed wiring board. The Applicants respectfully submit that Sanftleben does not disclose or suggest at least this feature of claim 1.

The Examiner alleged that Sanftleben discloses an elastic member detachably attached to a printed wiring board to enclose an electronic component to seal a gap between the component and the printed wiring board, citing figures 1-2 and "entire" columns 1-8. However, the Applicants respectfully submit that the optical spacer 36 of Sanftleben seals the space between the printed circuit board 14 and the electronic component 32 disposed in an enclosed cavity 30 in order to seal the enclosed cavity 30. Therefore, the spacer 36 of Sanftleben does not enclose the electronic component 32 along the circumference of the electronic component 32 to seal the space between the electronic component 32 and the printed circuit board 14 (Figures 1-2). This is in direct contrast to the features of claim 1.

Therefore, Sanftleben does not disclose or suggest at least the feature of an "elastic member being detachably attached to the printed wiring board in such a way as to enclose the electronic component along the circumference of the electronic component to seal a gap between the electronic component and the printed wiring board." Accordingly, Sanftleben does

not disclose every element of the Applicants' claim 1. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Sanftleben does not disclose the features recited in independent claim 1, as stated above, and such features are also not suggested by that reference, it is respectfully submitted that claim 1 patentably distinguishes over Sanftleben, and withdrawal of the §102(e) rejection is earnestly and respectfully solicited.

Claims 10-11 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed by Sanftleben. Therefore, it is respectfully submitted that claims 10-11 also patentably distinguish over Sanftleben.

Claims 13 and 17 of the present application, as amended, recite similar features to those discussed above in regard to claim 1, and which are not disclosed or suggested by Sanftleben. Therefore, it is respectfully submitted that claims 13 and 17 also patentably distinguish over Sanftleben.

Claims 15 and 19 depend respectively from claims 13 and 17, and include all of the features of those respective independent claims plus additional features which are not disclosed or suggested by Sanftleben. Therefore, it is respectfully submitted that claims 15 and 19 also patentably distinguish over Sanftleben.

Allowable Subject Matter

In item 2 on pages 5-6 of the Office Action the Examiner allowed claims 2-9, 12, 14, 16, 18 and 20.

Summary

In accordance with the foregoing, claims 1, 13 and 17 have been amended. No new matter has been presented. Thus, claims 1-20 remain pending in the application.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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